

LUIS VILLENA,

Plaintiff,

- against -

DETECTIVE JOSEPH OQUENDO,  
DETECTIVE JOHN DOE 1; DETECTIVE  
JOHN DOE 2; MANHATTAN SOUTH  
POLICE DEPARTMENT; A.D.A JOHN DOE;

Defendants.

TO THE HONORABLE GERALD E. LYNCH, U.S.D.J.:

: 07 Civ. 3485 (GEL) (JCF)

:  
: REPORT AND  
: RECOMMENDATION

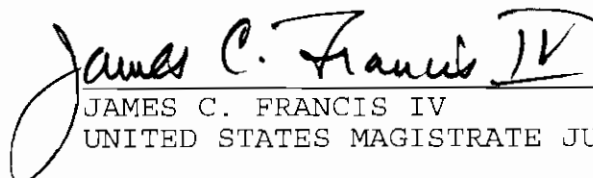
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The Office of Corporation Counsel having requested an order directing plaintiff to provide a release allowing access to his police records in connection with the arrest at issue, it is hereby ORDERED as follows:

1. By March 14, 2008, plaintiff shall submit a notarized letter stating that he authorizes the unsealing of his police records for the arrest at issue in this case pursuant to New York Criminal Procedure Law § 160.50. That letter shall be sent to David M. Hazen, Esq., Assistant Corporation Counsel, 100 Church Street, New York, New York 10007, with a copy to the Court.

2. If plaintiff does not submit the release as required, the Complaint will be dismissed.

Respectfully submitted,

  
JAMES C. FRANCIS IV  
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York  
February 25, 2008

Copies mailed this date:

Luis Villena a/k/a Luis Villanova  
05-A-6397  
Downstate Correctional Facility  
P.O. Box 445  
Fishkill, New York 12524-0445

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New York, New York 10007